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WILKINSON) BARKER) KNAUER) LLP

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AUG - 8 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

2300 N STREET, NW
SUITE 700
WASHINGTON, DC 20037
TEL 202.783.4141
FAX 202.783.5851
www.wbklaw.com
L. CHARLES KELLER
202-383-3414
ckeller@wbklaw.com

August 8, 2001

Magalie Roman Salas, Secretary
Federal Communications Commission
445 - 12th Street, S.W., Room TW-A325
Washington, D.C. 20554

Re: *Notice of Ex Parte Presentation, CC Dockets Nos. 96-98 and 01-92*

Dear Ms. Salas:

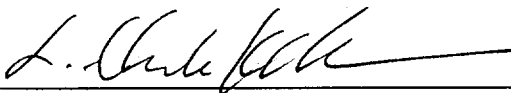
On behalf of ALLTEL Communications, Inc. (ALLTEL), this is to inform you that on this date, Glenn Rabin and Suzanne McCormick of ALLTEL and the undersigned met with Jane Jackson, Chief, Competitive Pricing Division, Common Carrier Bureau; Thomas Navin, Deputy Chief, Policy Division, Wireless Telecommunications Bureau; and the following staff from the Wireless Telecommunications Bureau: Gregory R. Vadas, Joseph A. Levin, and Stacy Jordan. In the meeting, ALLTEL described to the staff the current situation under which it is being required to exchange traffic with a group of rural incumbent local exchange carriers (ILECs) in Missouri. It is ALLTEL's belief that the current arrangement violates the Commission's rules.

Attached to this letter is a copy of the talking points that ALLTEL used in the meeting. At the request of Commission staff, attached also is a flow chart showing how traffic is exchanged between ALLTEL and these rural ILECs in Missouri.

Please contact the undersigned with any questions.

Very truly yours,

WILKINSON BARKER KNAUER, LLP

By: 
L. Charles Keller

cc: Jane Jackson
Thomas Navin
Gregory R. Vadas
Joseph A. Levin
Stacy Jordan

ALLTEL Communications, Inc.

CMRS/LEC Intercarrier Compensation

Ex Parte Presentation

August 8, 2001

CURRENT SITUATION:

- o Originating CMRS Intra-MTA Traffic Terminating to Rural LECs:
 - Transits the BOC tandem
 - Rural LECs insist on payment per State PUC approved “Wireless Termination Tariffs” at high, access-type rates (\$0.07/minute)
- o Originating Rural LEC Traffic Terminating to ALLTEL CMRS MSO:
 - Is carried by IXC to BOC tandem, where it is handed off to ALLTEL CMRS MTSO
 - Characterized as “toll” traffic for LEC customer (because of Rural LEC local calling area)
 - Rural LECs refuse to compensate ALLTEL for termination claiming ALLTEL should collect from IXC
- o BOC (tandem provider) wants out of the middle

ISSUE:

- o For LEC-to-CMRS traffic, Rural LECs receive toll revenue from their subscriber; do not compensate ALLTEL for completing the call
- o For CMRS-to-LEC traffic, Rural LECs receive exorbitant tariffed, access-based compensation rate.
- o Net effect: ALLTEL is denied reciprocal, symmetrical compensation -- forced to pay high compensation rates but never receive compensation themselves.

REGULATORY UNCERTAINTY

- o Need for statement that intra-MTA LEC-CMRS traffic is always local, even if transiting carriers (IXC, RBOC tandem) are involved – access-type rates are inappropriate.
- o Lack of clarity regarding CMRS carriers’ right to charge IXCs access charges,¹ (compounded by CMRS carriers’ inability to file access tariffs per section 20.15)

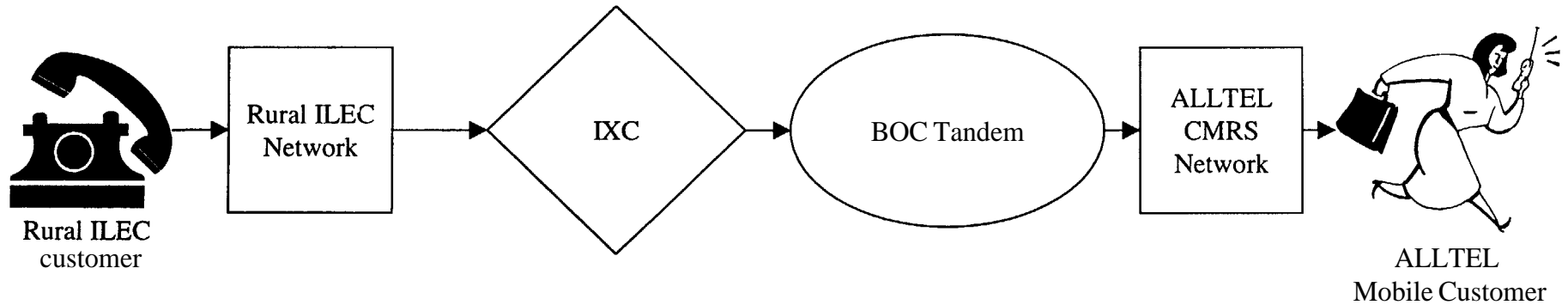
INTERIM RELIEF REQUIRED:

- o Re-assert that all intra-MTA LEC-CMRS traffic is local and subject to section 51.701, irrespective of intermediate carriers and that LEC/CMRS traffic should be exchanged pursuant to a symmetrical reciprocal compensation agreement per section 51.701.
- o Establish primacy of Commission’s rules and guidelines on LEC/CMRS interconnection

¹ In the *LEC-CMRS Interconnection NPRM*, 11 FCC Rcd 5020 (1996), the Commission sought comment on whether CMRS carriers should be allowed to charge access. The issue was never resolved, though, and comment was sought again on this issue in the current *Inter-carrier Compensation NPRM*.

From Rural ILEC customer to ALLTEL CMRS Customer:

(Intra – MTA traffic; toll call for Rural ILEC customer)



From ALLTEL CMRS customer to Rural ILEC customer

(Intra – MTA traffic; local call for ALLTEL CMRS customer)

